

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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Attorneys for Plaintiff Rudolph Research Analytical Corp.

Rudolph Research Analytical, Inc.

Plaintiff,

v.

Anton Paar OptoTec, GmbH,

Defendant.

Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Rudolph Research Analytical, Inc. ("Rudolph") demands a jury trial and complains against Defendant Anton Paar OptoTec, GmbH ("Paar"):

THE PARTIES

1. Rudolph is a corporation organized and existing under the laws of the State of New Jersey, and having a principle place of business in Hackettstown, New Jersey.

2. Upon information and belief, Paar is a corporation organized under the laws of Germany, and having a principle place of business in Seelze-Letter, Germany.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States of America, Title 35 of the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

5. Upon information and belief, Paar is doing business in this district and has sold products that infringe the patent asserted in this litigation in this district.

1 6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c)(2)-(c)(3)
2 and/or 1400(b).

3 **THE PATENT**

4 7. Plaintiff Rudolph repeats and incorporates herein the entirety of the allegations
5 contained in paragraphs 1 through 6 above.

6 8. On April 6, 2004, U.S. Patent No. 6,717,665 (hereinafter referred to as “the ‘665
7 patent”) was duly and legally issued for an invention entitled “Polarimeter.” Rudolph is the owner
8 by assignment of all right, title and interest in the ‘665 patent.

9 9. The ‘665 patent relates generally to a polarimeter with a support structure that
10 allows temperature control of polarimeter cells through a substantially planar temperature control
11 element.

12 10. A copy of the ‘665 patent is attached hereto as Exhibit 1.
13

14 **CLAIM FOR PATENT INFRINGEMENT**
15 **COUNT ONE**

16 11. Plaintiff Rudolph repeats and incorporates herein the entirety of the allegations
17 contained in paragraphs 1 through 10 above.

18 10. Defendant Paar is a manufacturer and distributor of Polarimeters used in the
19 pharmaceutical industry, as well as in related industries. Paar competes directly with Rudolph for
20 sales of Polarimeters.

21 11. Upon information and belief, Paar is selling and has sold, into the United States, its
22 MCP model Polarimeter that infringes at least claims 32-35 of the ‘665 patent.

23 12. Rudolph believes that further discovery may reveal other Paar Polarimeters and
24 claims that are infringed.

25 13. Plaintiff has been damaged by Paar’s infringing sales, and will continue to suffer
26 irreparable harm unless such infringing activities are enjoined by this Court.
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28

By: s/ Jeffrey I. Kaplan

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Dated: June 13, 2017